



BOARD OF PUBLIC WORKS & SAFETY DECEMBER 8, 2005 MINUTES

Board member Warren Beville presided and called the meeting to order at 8:30 a.m.

PRESENT:	Board members Warren Beville, Kevin Hoover; Clerk-Treasurer Jeannine Myers; City Attorney Shawna Koons-Davis; and Director of Engineering Paul Peoni. Mayor Charles Henderson was not in attendance.
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Mr. Hoover moved to approve the minutes of the regular session of November 22nd as presented. Second by Mr. Beville. Vote: Ayes.

Arnold Kaptain, Office Manager of the Sanitation Billing Office, was first on the agenda to present the business office budget for 2006. Copies had already been distributed, and the purpose today was to answer any questions. He mentioned that the proposed increase in postage is in the proposed budget.

Sweetgrass Subdivision, Section 5, is asking for acceptance of improvements, acceptance of maintenance and performance bonds and execution of the plat. Mr. Peoni confirmed that a final field inspection shows all items being requested for acceptance appear to have been satisfactorily installed. The improvements and amounts shown on the bonds are correct. The bond form has been approved by the Law Department. Mr. Peoni indicated that there could be issues with the street as-builts. The plat will be held until everything is fine in the field. Mr. Hoover moved to:

- 1) Accept the sanitary sewers at Sweetgrass Subdivision, Section 5 subject to Keith Meier, Sanitation Superintendent, approval.
- 2) Accept three (3) year maintenance bond #5020177 in the amount of \$12,235 from Bond Safeguard Insurance Company for the sanitary sewers at Sweetgrass Subdivision, Section 5.
- 3) Accept the dirtwork and storm sewers at Sweetgrass Subdivision, Section 5.
- 4) Accept three (3) year maintenance bond #5020176 in the amount of \$34,484 from Bond Safeguard Insurance Company for the dirtwork and storm sewers at Sweetgrass Subdivision, Section 5.
- 5) Accept the stone base, bituminous base, bituminous binder and concrete curbs (streets) at Sweetgrass Subdivision, Section 5.
- 6) Accept three (3) year maintenance bond #5020178 in the amount of \$26,766 from Bond Safeguard Insurance Company for the stone base, bituminous base, bituminous binder and concrete curbs (streets) at Sweetgrass Subdivision, Section 5.
- 7) Accept performance bond #5020173 in the amount of \$15,284 from Bond Safeguard Insurance Company for the installation of the bituminous surface and tack coat at Sweetgrass Subdivision, Section 5.
- 8) Accept performance bond #5020175 in the amount of \$1,025 from Bond Safeguard Insurance Company for the installation of the signs and monuments at Sweetgrass Subdivision, Section 5.
- 9) Accept performance bond #5020174 in the amount of \$43,282 from Bond Safeguard Insurance Company for the installation of the sidewalks at Sweetgrass Subdivision, Section 5.
- 10) Execute the plat (to be held), all contingent upon:
 - a. Final payment of any Inspection & Testing fees, if applicable.
 - b. Final review and approval of revised as-built mylars. Two (2) complete sets.
 - c. Final review and approval of the plat by the Engineering and Planning departments.

Second by Mr. Beville. Vote: Ayes.

For Oldefield Commercial Subdivision, Lot 3, James Fisher of G. Brizendine Homes asked for acceptance of maintenance bonds and release of performance bonds. Mr. Fisher discussed the perimeter monuments and that they were more than likely buried in the field, as the inspector could not locate them.

They are to be exposed for our inspector this week. The performance bond will be held until staff is sure the monuments and street signs are in place. Everything else is acceptable in the field, said Mr. Peoni. They have received acceptable as-builts. Mr. Hoover moved to:

- 1) Acknowledge that the private improvements of dirtwork and storm sewers have been installed in reasonable compliance with the approved design plans for Oldefield Commercial Subdivision, Lot 3.
- 2) Release performance bond #5006635 w/rider in the amount of \$21,110 from Bond Safeguard Insurance Company for the installation of private dirtwork and storm sewers at Oldefield Commercial Subdivision, Lot 3.
- 3) Acknowledge that the private improvements of erosion control have been installed in reasonable compliance with the approved design plans for Oldefield Commercial Subdivision, Lot 3.
- 4) Release performance bond #5006636 w/rider in the amount of \$3,299 from Bond Safeguard Insurance Company for the installation of the erosion control at Oldefield Commercial Subdivision, Lot 3.
- 5) Accept the survey monuments and street signs at Oldefield Commercial Subdivision, Lot 3.
- 6) Accept three (3) year maintenance bond #5019555 in the amount of \$181 from Bond Safeguard Insurance Company for the survey monuments and street signs at Oldefield Commercial Subdivision, Lot 3.
- 7) Release performance bond #5006638 w/rider in the amount of \$906 from Bond Safeguard Insurance Company for the installation of the survey monuments and street signs at Oldefield Commercial Subdivision, Lot 3, all subject to:
 - a. Final payment of any Inspection & Testing fees, if applicable.
 - b. Final receipt of mylar as-builts. Two (2) sets.
 - c. Installation and inspection of all perimeter monumentation before the performance bond for survey monuments and street signs is released.

Second by Mr. Beville. Vote: Ayes.

Fred Leimberger of Precedent asked for acceptance of improvements, acceptance of maintenance and performance bonds and execution of the plat for Homecoming at University Park, Section 5. Mr. Peoni confirmed that everything is fine in the field. The improvements and amounts shown on the bonds are correct. The bond form has been approved by the Law Department. The 1/3 SAF and outside engineering review fees have been paid. Minor revisions are needed on the plat and the as-builts. Mr. Hoover moved to:

- 1) Accept the sanitary sewers at Homecoming at University Park, Section 5 subject to Keith Meier, Sanitation Superintendent, approval.
- 2) Accept three (3) year maintenance bond #5018076 in the amount of \$44,461 from Bond Safeguard Insurance Company for the sanitary sewers at Homecoming at University Park, Section 5.
- 3) Accept the dirtwork and storm sewers at Homecoming at University Park, Section 5.
- 4) Accept three (3) year maintenance bond #5018074 in the amount of \$139,225 from Bond Safeguard Insurance Company for the dirtwork and storm sewers at Homecoming at University Park, Section 5.
- 5) Accept the stone base, bituminous base, bituminous binder and concrete curbs (streets) at Homecoming at University Park, Section 5.
- 6) Accept three (3) year maintenance bond #104632504 in the amount of \$66,950 from St. Paul Fire and Marine Insurance Company for the stone base, bituminous base and bituminous binder (streets) at Homecoming at University Park, Section 5.
- 7) Accept three (3) year maintenance bond #5018934 in the amount of \$26,451 from Bond Safeguard Insurance Company for the concrete curbs at Homecoming at University Park, Section 5.
- 8) Accept performance bond #5018078 in the amount of \$47,702 from Bond Safeguard Insurance Company for the installation of the bituminous surface and tack coat at Homecoming at University Park, Section 5.
- 9) Accept performance bond #5018087 in the amount of \$180,315 from Bond Safeguard Insurance Company for the installation of the erosion control at Homecoming at University Park, Section 5.
- 10) Accept performance bond #5018075 in the amount of \$140,627 from Bond Safeguard Insurance Company for the installation of the sidewalks at Homecoming at University Park, Section 5.

- 11) Accept performance bond #5018077 in the amount of \$3,937 from Bond Safeguard Insurance Company for the installation of the signs and monuments at Homecoming at University Park, Section 5.
- 12) Execute the plat, all contingent upon:
 - a. Final payment of any Inspection & Testing fees, if applicable.
 - b. Final review and approval of revised as-built mylars. Two (2) complete sets.
 - c. Final review and approval of the plat by the Engineering and Planning departments.

Second by Mr. Beville. Vote: Ayes.

Code Enforcement Officer John Myers received a complaint on November 2nd of a violation at 12 Patterson Street. Junk was collecting on the back porch from floor to ceiling. Two vans were packed full in the driveway. Junk was also between the vans and was very unsightly, reported Mr. Myers. Code Enforcement made an inspection of the property. Trash was stacked along the front and sides of the house. Two junked vehicles that are unlicensed are used for storage. Code Enforcement averages going to the address about once every two years for the last ten years, stated Mr. Myers. A certified letter was sent regarding appearing at the November 22nd meeting of the Board of Public Works and Safety. A receipt was returned November 8th. Pictures were taken of the violation site. On November 21st Code Enforcement asked the City Attorney to request a continuance to this December 8th meeting. George Lindberg, the resident, needed a little more time to clear up the violation, Mr. Myers said. On November 23rd Code Enforcement observed Mr. Lindberg putting trash out and Mr. Myers advised him of the continuance at that time. One of the inoperable vehicles had been removed and Mr. Lindberg states that work would be completed by this meeting. On December 6th, Mr. Myers met with Mr. Lindberg, who stated he could not get the second van running and it would be removed that day. It has been removed. Mr. Myers took six pictures in the back yard and informed Mr. Lindberg that it was Code Enforcement's opinion he was still in violation and would need to appear at this December 8th meeting. Mr. Lindberg was invited to speak, and first assured the Board he had always tried to comply; in this case it did not get done fast enough. Both vans have been removed, he said. The boxes in the driveway are his load for a flea market, he added. Everything else in the front and along the side has been cleaned up. What was in back is under his patio cover and Mr. Lindberg is sorting through it – discarding what he can, selling what he can and donating to Goodwill. He guaranteed the Board they would not hear from him again, as he expects to be moved by April 1st. The electric heater in the side yard goes to his grandson, said Mr. Lindberg, and is only one cubic foot. Mr. Lindberg estimated that he would clear up the accumulation of tools and electronics in back within thirty days, including what is behind the shed. After more discussion Mr. Hoover moved to find that a nuisance exists at 12 Patterson Street because of debris around the house, give the property owner George Lindberg 30 days to clean up all of the debris around the house as discussed, and failing that the City Attorney would take whatever steps she deems appropriate to rectify the situation and collect any costs against the property owner. Second by Mr. Beville. Vote: Ayes.

Street Superintendent Greg Owens reported that his department recently sent out for quotes on materials they use during the course of the year and asked the Board for approval to award those. First for stone, they asked to Martin Marietta, Hanson Aggregate, and Meshberger for quotes on #2 stone, #53 stone, #9 stone and #11 rip rap. The low quote on #2 (\$9.20/ton delivered), #53 (\$9.20/ ton delivered) and #11 rip rap (\$12.30/ton delivered) was Meshberger Stone, said Mr. Owens. The low quote on #9 stone was from Martin Marietta - \$13.60/ton delivered. Meshberger's was \$13.90/ton delivered. At his request, Mr. Beville moved to accept Meshberger's quote, with the stipulation that if they can't supply something, his department can purchase it from Martin Marietta. Second by Mr. Hoover. This includes #9 stone as well. Vote: Ayes.

The next quote was for road salt. Letters were sent to Detroit Salt, North American Salt, Morton Salt and Cargill Salt. Detroit and North American declined to give quotes. Morton Salt's price, delivered, was \$61.90/ton. Cargill's delivered per ton price was \$53.30. At Mr. Owen's recommendation, Mr. Beville moved to accept Cargill's price as described. Second by Mr. Hoover. Vote: Ayes.

Quotes on concrete were received from Shelby Materials, IMI, Southside Ready Mix and Prairie. The low quote, reported Mr. Owens, was from Shelby Materials -- \$73/yd for 3000-pound strength concrete, \$78/yd for 4000-pound strength concrete and flowable fill at \$46/yd. Mr. Owens added that on minimum loads there is an additional charge of \$150 for less than 2 yards and \$100 for less than 3.5 yards and he often gets 1- and 2-yard loads (for sidewalk repairs, and other projects). The quotes from Shelby are what he was paying last year, he said in response to Mr. Beville, and the other quotes are a little higher. IMI's price for 3000-pound strength was \$76.50, for 4000-pound strength, \$81.50; and flowable fill, \$51.50. There is no additional charge for minimum loads. Southside Ready Mix charges \$51.50 for flowable fill, \$76.50 for 3000-pound strength, and \$81.50 for 4000-pound strength. For less than 3.5

yards there is no additional charge. Prairie Concrete's prices are: \$78/yd for 3000-pound strength, \$82/yd for 4000-pound strength, and \$51.50 for flowable fill. There is a \$60 charge for less than 4 yards. Based on the fact that the Street Department often orders smaller loads and a concrete company might be full for the day when he calls in an order, Mr. Owens recommended that the Board accept quotes from all four companies. Mr. Beville moved to accept the prices from all four companies as described. Second by Mr. Hoover. Vote: Ayes.

Police Chief Joe Pitcher was next to present a list of surplus (worthless) property inventory (List in attachments of this meeting). Mr. Hoover moved that the list be deemed worthless and be disposed of as junk at the Chief's discretion. Second by Mr. Beville. Vote: Ayes.

Human Resources Director Bill Jackson reported that the Employee Handbook is completed and will be distributed next week. He also discussed requests he has had regarding the flexible spending account. The maximum an employee can contribute now is \$500. Some employees, he said, are requesting that this be increased to \$1,000. The up side, said Mr. Jackson, is that the City would save money if the employee stayed for a full year. They would save their FICA contribution. Right now there are 40 to 41 employees utilizing the plan. If the ceiling were increased to \$1,000 it would save the City approximately \$3,000, indicated Mr. Jackson. The down side is, if the employee was to utilize all his/her maximum and then terminate his/her employment, through his/her choice or the City's, we would still be required to fund that through the end of the year. Mr. Jackson recounted that this has probably happened twice since we have had the flexible spending account. It cost the City about \$250 on one employee, he said, and about \$200 on the other employee. The offset is that the City saves on their FICA contributions. Mr. Beville moved, per Mr. Jackson's recommendation, to increase the ceiling for the flexible spending account to \$1,000. Second by Mr. Hoover. Vote: Ayes.

The City Attorney recalled that at the last meeting the Board denied the request of Republic of Indiana to increase the unit price in their current contract. The Board did not, however, direct her to officially contact Republic or draft a letter. Mr. Hoover moved to direct the City Attorney to officially notify Republic of Indiana of the Board's decision to deny its request. Second by Mr. Beville. Vote: Ayes.

On his Status of Tasks, Mr. Peoni first discussed a public sidewalk easement grant for the new "On the Border" Mexican restaurant – where the existing Chi Chi's Restaurant is at the mall. Simon Properties Group is giving a six-foot easement along U.S. Highway 31 for the restaurant. The legal description and exhibit are in order. The easement grant was prepared by the Law Department. Mr. Hoover moved to accept the public sidewalk easement grant as described, subject to the City Attorney's final review and approval. Second by Mr. Beville. Vote: Ayes.

Mr. Peoni also presented an Inspection & Testing Agreement for Chase Bank at Emerson Pointe – the southwest corner of County Line Road and Emerson Avenue. The 50% fee has been received. Mr. Hoover moved to accept the agreement and ratify acceptance of the check. Second by Mr. Beville. Vote: Ayes.

Mr. Beville moved that the claims be approved as presented through December 8, 2005. Second by Mr. Hoover. Vote: Ayes.

With no further business, the meeting adjourned at 9:05 a.m.